



IDEAS

THE LAWLESSNESS THAT COPS IGNORE

In New York, a failure to take quality-of-life complaints seriously reveals a city unaccountable to its residents.

By Alex Pareene



Erik Carter

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About the author: *Alex Pareene is the author of The AP (Alex Pareene) Newsletter.*

A GLIMPSE OF MY PHONE's photo roll: cherubic child proudly displaying the treats he snuck into the grocery basket; black sedan with no license plates; kid in restaurant sticking his tongue out; red Nissan Altima with Florida plates blocking crosswalk; child posing with friend on Coney Island boardwalk; white Chevy Suburban with New York City Transit Authority parking placard blocking fire hydrant.

The child is mine. Those photos are mostly for Grandma. The vehicles are not mine. Those photos are for 311, which bills itself as “New York City’s main source of government information and non-emergency services.” The 311 reports I file are my way of protesting the city’s post-pandemic takeover by private automobiles (more than 100,000 newly registered vehicles clogging our streets and pushing traffic deaths up to numbers not seen in a decade). But—as is so often the case—my protest has been a largely ineffectual one.

At its best, 311 gives the citizen a very clear example of city government working for them. Pothole? No heat in your building? Need help navigating SNAP or other benefits? Rats? Call the city, and someone will assist. When the system works, it’s a miracle of responsive local government. When it doesn’t, and these days it doesn’t, it highlights the places, people, and recurring problems our government would rather ignore.

THIS SUMMER, the New York City Council’s Committee on Oversight and Investigations looked into the NYPD’s handling of 311 service requests. Its investigators filed 311 reports on 50 observed examples of illegal parking throughout the city. “In each case,” the council wrote in a letter to NYPD Commissioner Dermot Shea, “NYPD claimed to properly respond and marked the SR as closed. But for 72% (36) of these SRs, our team observed that NYPD did not properly respond.” Mainly, officers would drive or walk past the reported vehicle

without doing anything. The NYPD did not respond in any way to 14 of the requests, despite officially claiming to have done so.

Brian Klaas: Focus on who police are, not what they do

Furthermore, the city-council investigation found that the NYPD has started “responding to” reports of improper use of city-issued parking placards with improbable alacrity: From 2019 to 2020, the percentage of such service requests closed in less than 15 minutes quadrupled.

Subsequent investigations by Streetsblog, a newsroom operated by the pro-transit nonprofit OpenPlans, found that thousands of driver-misconduct service reports were closed in less than five minutes, “up from only five such complaints that were closed so quickly in 2010,” and—more worrying—that a few frequent reporters of parking violations or driver misconduct were subject to intimidating anonymous phone calls and texts from people who may have been cops. (After I read this story, I stopped ticking the box to include my contact information with my complaints.)

Here are some of the responses I’ve gotten to my 311 reports recently: “The Police Department responded and upon arrival those responsible for the condition were gone.” “The Police Department responded to the complaint and determined that police action was not necessary.” “The Police Department responded to the complaint and with the information available observed no evidence of the violation at that time.”

Just once in my pandemic-era 311-complaint spree have I notched a verified win. I reported a hydrant-blocking car before turning in for the night. I woke up the next morning to this response: “The Police Department issued a summons in response to the complaint.” And the car actually did have a summons on it, which I knew because it was still parked right there in front of the hydrant. A week later, I reported the same placarded Chevy Suburban in the exact same space. This one got closed with a “took action to fix the condition” response, and sometime later I watched the driver depart

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without penalty. (Asked about the 311 investigations, and my own closed service requests, Mayor Bill de Blasio's office forwarded me comments he had made at a press conference earlier this year in which he said he would be "directing the NYPD to ensure that every one of these complaints is followed up on." The city's Department of Investigation confirmed that it is "actively investigating" the harassment claims.)

I am, admittedly, a crank. But I'm not a busybody. The complaints I file are legitimate matters of public safety. The hydrant is in front of my apartment building, and the no-standing zone where I reported the illegal truck is in the bike path directly leading to my kid's elementary school. The widespread, institutional failure to take these sorts of complaints seriously reveals a city unaccountable to its residents. And that unaccountability is disquieting: It suggests that many public servants don't see themselves as servants of the public at all.





Erik Carter

RESIDENT LYNDON B. JOHNSON’S Commission on Law Enforcement and Administration of Justice suggested a single national phone number for emergency calls in 1967. AT&T announced 911 as the designated emergency code the next year, though the system (run largely by county governments) would take decades to reach most Americans. By the 1990s, 911 was often treated as a victim of its own success. Call volume was too high, and too many calls were nonemergencies. Meanwhile, police departments resented being judged based on their response times to emergency calls, and insisted it distracted from “community policing.”

RECOMMENDED READING

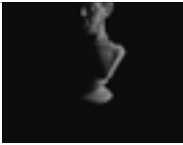


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YONI APPELBAUM

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The problem of police departments inundated with mundane calls made good fodder both for local news and for Democratic Party law-and-order politics. On the campaign trail in 1996, Bill Clinton called for the creation of a national nonemergency number—a “national community policing number,” actually—to ease the strain on overburdened 911 emergency lines.

When Baltimore launched a nonemergency-number pilot program in October of that year, the city settled on 311, choosing a number in line with the easy-to-remember “N11” codes Americans were already used to dialing to reach emergency services or get phone-directory assistance. (Other cities tried the opposite approach. A Buffalo, New York, ad agency created this catchy slogan for its city’s nonemergency hotline: “For a real emergency, call 911; we’ll quickly send someone! Nonemergencies, it’s 853-2222, and we’ll tell you what to do.”)

A few years later, Michael Bloomberg, in his first term as mayor of New York City, set up what would become the nation’s largest 311 operation. But he didn’t pitch it as an effort to cure citizens of their depraved addiction to dialing 911. He didn’t even claim that it would significantly reduce 911-call volumes. His 311 was a hotline for city services in general, not simply a number for nonemergency police calls. This shift in rationale for 311 boosted Bloomberg’s carefully crafted image as a results-oriented, technocratic manager who’d get the city government to simply work. This vision of 311 also reflected a long political tradition of urban good-government reform progressivism. To directly reach your government for assistance or to access services would no longer require having connections to the local party boss, or even necessarily contacting your elected representatives. Every city resident—even every

tourist!—now had a direct line to the city government, and the government now had robust data on how efficiently it was serving its denizens.

Bloomberg's first major initiative turned out to be one of his most lasting and most effective, in New York and nationwide. His vision of a general-purpose 311 number won out over Clinton's community-policing number, and versions of it now exist in most large American cities and a growing number of small ones.

Thanks to that proliferation, 311 now reveals breakdowns in accountability and the limits of state capacity all across the nation.

CALLS TO 311 about an illegal trash-dumping site in northeast Houston were closed out with no action taken until the local news channel ABC13 devoted a segment to it, garnering the attention of the mayor and even Representative Sheila Jackson Lee. City crews cleaned it up the day after the segment aired. The city can track calls about illegal dumping, but it has no system for ensuring that tasks delegated to city agencies are completed.

When rats began invading an elderly woman's San Antonio home from the vacant and dilapidated house next door, her daughter made one of the several 311 reports made about the abandoned property. All were closed without action being taken. "I think that ... sometimes *closed* does not mean 'resolved,'" the city's 311 director told the local television station KSAT. "There are different reasons for closure, and I think that that is something that we are definitely working on with the community, to understand the nuances between the two."

Philadelphia's Action News station carried out a small-scale sting of the city's 311 system similar to those carried out in New York. They filed 22 reports on the sort of small-scale quality-of-life issues a well-run city government should be able to address, such as abandoned vehicles and broken sidewalks. After four months, four tickets remained open and unfixed, and nine had been improperly closed. The city's Streets Department gets tens of thousands of complaints annually, the station reports. The data revolution in American governance can now quantify the extent to which that department is unable, for whatever reasons, to carry out its mission.

THE CRIMINOLOGISTS AND POLICE OFFICIALS who pioneered the “broken-windows theory” argued that seemingly nonviolent but highly visible signs of lawlessness and disorder, such as graffiti and those titular broken windows, create environments that themselves promote worse disorder. That logic was used to justify years of stop-and-frisk and other aggressive crackdowns. But those same advocates rarely apply their logic to the sorts of lawlessness that police abide and that the state is uninterested in addressing. No one is willing to demonstrate to the public that the streets are under control by getting the cop’s personal vehicle off the sidewalk.

From the September 2020 issue: Incremental change is a moral failure

Cynicism born of experience leads many to scoff at the notion that local governments would bother to improve day-to-day life even if they could. Many of my neighbors wouldn’t think to alert the city to an illegally parked semitruck on a road leading to an elementary school, because that is simply how the roads have always been here (even if the situation has recently gotten worse) and there is no evidence the city has the appetite or ability to change it.

This cynicism is not limited to urban politics. It probably explains a kind of national resignation about the possibility of positive change. New Yorkers watched, in real time, former Governor Andrew Cuomo become a celebrated national figure as he improvised and largely botched the state’s response to the traumatic first wave of COVID-19 last year. His lionization makes sense only if no one really expects anyone in power to do things such as manage public health. In this context, going on television to offer comfort is enough.

“Please contact 311” has become a running joke among New York urbanists, used on Twitter in response to scenes of absurd auto congestion or dangerous driving. It derives from the city’s Department of Transportation, which has a Twitter account staffed with real people who reply to seemingly every specific, detailed complaint about the streets with that exhortation. *Please contact a middleman agency to generate a ticket to instruct my agency to do its job, which we all expect will not get done anyway.*

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Once the pothole is transformed into data, the city can clear it. Whether anyone will fill the physical pothole is a question for another department.
